



CITY MAGISTRATE MERIT  
SELECTION COMMISSION  
P.O. Box 27210  
Tucson, Arizona 85726-7210  
(520) 791-4213 (Voice)  
(520) 791-2639 (TDD)  
(520) 791-4017 (FAX)

**CITY MAGISTRATE MERIT SELECTION COMMISSION  
MINUTES  
MARCH 27, 2008**

The City Magistrate Merit Selection Commission met in Open Session and in Executive Session to discuss the reappointment of Michael P. Pollard and Nikki A. Chayet as City Magistrates for another four-year term. The meeting was called to order by Chair Lori Oien on **Thursday, March 27, 2008**, at 5:15 p.m., in the City Attorney's Conference Room, 7th Floor, City Hall, 255 W. Alameda, Tucson, Arizona.

**1. Call to Order/Roll Call**

Members Present:

Lori Oien  
Grady Scott (departed @ 6:03 p.m.)  
Dev Sethi  
Gloria Torres (arrived @ 5:30 p.m.)  
Joel Herz  
Lori Lefferts

Members Absent:

Freda Johnson  
Helen Mautner  
Peter Aronoff

Staff:

Frank Kern, City Attorney's Office  
Antonio J. Riojas, Presiding City Magistrate  
Deborah Rainone, Assistant City Clerk  
Sylvia Carbajal, Secretary, City Clerk's Office  
Delma Sanchez, Secretary, City Clerk's Office

Guests:

Charles Davies, Public Defenders Office  
Russell Hughes, Public Defenders Office

**2. Call to the Audience**

Charles Davies, Public Defender's Office, spoke in opposition to the reappointment of Nikki A. Chayet as City Magistrate.

Russell Hughes, Public Defender's Office, spoke in opposition to the reappointment of Nikki A. Chayet as City Magistrate.

Mr. Davies and Mr. Hughes responded to questions from Commission Members.

3. **Interview with Presiding Magistrate of Tucson City Court regarding the appointments of City Magistrates Michael P. Pollard and Nikki A. Chayet to another four-year term.**

Motion by Dev Sethi, seconded by Gloria Torres, and carried by a voice vote of 6 to 0, (Freda Johnson, Helen Mautner, and Peter Aronoff absent) to go into Executive Session.)

This item was discussed in Executive Session.

#### **EXECUTIVE SESSION:**

4. **Review/discuss documents and information applicable to the recommendation of the appointments of Michael P. Pollard and Nikki A. Chayet as City Magistrates.**

This item was discussed in Executive Session.

5. **Interview candidates to make a recommendation regarding their appointment.**

Interviews were discussed in Executive Session.

6. **Recommendation of the City Magistrate-Merit Selection Commission to the Mayor and Council regarding the appointments of Michael P. Pollard and Nikki A. Chayet as City Magistrates.**

Motion by Dev Sethi, seconded by Gloria Torres, and carried by a voice vote of 5 to 0 to go out of Executive Session. (Commissioner Scott departed at 6:03 p.m.)

#### **END OF EXECUTIVE SESSION:**

Motion by Dev Sethi, duly seconded, to recommend the appointment of Michael P. Pollard as City Magistrate for another four-year term.

Chair Oien asked for a roll call vote. Upon roll call, the results were:

Aye: Commissioners Oien, Sethi, Herz, Lefferts, and Torres

Nay: None

Absent: Commissioners Johnson, Mautner, and Aronoff (Commissioner Scott departed at 6:03 p.m.)

Motion to recommend to Mayor and Council the appointment of Michael P. Pollard as City Magistrate for another four-year term carried by a roll call vote of 5 to 0.

Motion by Dev Sethi to recommend the appointment of Nikki A. Chayet as City Magistrate for another four-year term. Motion failed due to a lack of a second.

Motion by Dev Sethi, duly seconded, to table the recommendation of Nikki A. Chayet as City Magistrate for another four-year term; and to bring this item back to the full Commission at it's next meeting.

Chair Oien asked for a roll call vote. Upon roll call, the results were:

Aye: Commissioners Oien, Sethi, Herz, Lefferts, and Torres

Nay: None

Absent: Commissioners Johnson, Mautner, and Aronoff (Commissioner Scott departed at 6:03 p.m.)

Motion to table the recommendation and consideration of Nikki A. Chayet as City Magistrate for another four-year term until the Commission's next meeting carried by a roll call vote of 5 to 0.

**7. Future meeting dates and agenda items.**

- Review Applications for City Magistrate Vacancy (April)  
(The next meeting was tentatively scheduled for April 24, 2008, to consider the reappointment of City Magistrate Nikki A. Chayet and to review the applications received for the vacant City Magistrate position.)
- Interviews for City Magistrate Vacancy  
(No Action Taken)
- Special City Magistrate Reappointments/Term Expiration – May 16, 2008 (Total of five Special City Magistrates)  
(No Action Taken)

**8. Adjournment 7:54 p.m.**